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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS**

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**INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA****GENERAL NOTICE 751 OF 2021****NOTICE ON THE ISSUANCE OF CERTIFICATES OF COMPLIANCE FOR  
ELECTROMAGNETIC COMPATIBILITY FOR MANUFACTURERS****BACKGROUND**

1. On the 30<sup>th</sup> of March 2016 the Authority and the SABS entered into a Memorandum of Understanding. The MoU aims to establish a formal relationship and to promote cooperation as well as to ensure that non-telecommunications electronic equipment entering South Africa meets essential requirements for issuing Certificates of Compliance ("CoC").
2. The MoU enables the two entities to, amongst other things, collaborate to:
  - provide a framework in terms of which the SABS will assist the Authority to execute its mandate of issuing CoCs for non-telecommunications equipment.
  - manage the issuance of Electromagnetic Interference/Compatibility (EMI/EMC) CoCs in South Africa.

**ISSUANCE OF CERTIFICATES OF COMPLIANCE**

3. Clause 6.2 of the MoU states that the SABS will implement a TYPE 3 quality assurance scheme. This scheme enables the SABS to collaborate with accredited local and international testing facilities to ensure a streamlined process without compromising the objectives of the CoC process; The Type 3 quality assurance

scheme also enables the SABS to visit points of manufacturing, sampling, testing and subsequent verification of products for continuous compliance purposes.

4. On 01 June 2017, the SABS officially launched the issuance of the CoCs program through a notice on its website<sup>1</sup>. The notice detailed how the SABS intended to implement the Type 3 quality assurance scheme and presented the SABS Authorised Laboratory Program ("A-Lab program").
5. On 22 September 2017, the SABS lodged a notification with the World Trade Organisation (WTO) under Article 5.6.2 of the Agreement on Technical Barriers to Trade (TBT) (G/TBT/N/ZAF/220) with regards to the conformity assessment procedure for the issuance of EMC CoCs to manufacturers and importers of electrical and electronic products.
6. On 26 September 2017, the Authority published a media statement, informing stakeholders about the notification that had been lodged by the SABS with the WTO.
7. The Authority and the SABS received complaints in relation to the WTO notification and subsequently revised the A-Lab program to address concerns. The considerations made by the SABS and the Authority focused on the following:
  - Accepting EMC CoC applications from test laboratories accredited by the International Laboratories Accreditation Cooperation (ILAC), contrary to the initial approach where only test laboratories that were authorised and integrated into the A-Lab program could apply for EMC CoCs.
  - Applicants that are affiliated to the A-Lab program are guaranteed priority with turnaround times of ten (10) working days for CoC issuance, while applicants that are non-affiliates have a turnaround time of thirty (30) working days. This is largely because the SABS has a streamlined process with A-Lab affiliates, wherein laboratories have a clear understanding of SABS requirements and have the established SABS templates, while non-

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<sup>1</sup> 'Modification of the South African Bureau of Standards Program on Issuance of Certificates of Compliance Related to Electromagnetic Compatibility for Manufacturers', <https://www.sabs.co.za/emc/>.

affiliates pose a challenge of verification before the evaluation of applications. The SABS needs to verify the accreditation status of these laboratories before considering their applications. In some instances, the SABS might require samples to be provided as an additional requirement to aid the formulation of an outcome.

8. It must be noted that the objects and functions of the SABS are set out in the Standards Act, 2008 (Act No. 8 of 2008) and section 4 (2)(b) thereof states that, in order for the SABS to achieve its objects, it may (emphasis provided):

"(b) **provide** reference materials, **conformity assessment services**, and related training services in relation to standards, including a voluntary SABS Mark Scheme proving assurance of product conformity;"

9. The SABS therefore has the power to establish the A-Lab Scheme and to provide it with a conformity assessment service.

10. The Authority and the SABS will continue providing consistent and accurate information to the market and clarifying any uncertainty on issues around the scheme.

11. The Authority and the SABS will collaborate in carrying out market surveillance activities to ensure continuous compliance in the market.

12. The Authority and the SABS hereby publish the notice to advise manufacturers, suppliers, distributors and retailers of electrical and electronic equipment that do not have radio frequency modules, to comply with the EMC CoC requirements as detailed in the SABS A-Lab program.



**Dr. Keabetswe Modimoeng**  
**Chairperson**  
**Date: 14 / 12 / 2021**